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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/038,983	03/12/1998	MASANORI WAKAI	35.C12644	9035

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EXAMINER

OPIE, GEORGE L

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/038,983

Applicant(s)

Wakai et al.

Examiner

George L. Opie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) X Responsive to communication(s) filed on 19 July 2002.
- 2a) X This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) X Claim(s) 1, 3-14, 16-24, 26-27, 29, 30, 32-36, 39-41, 44, 46-57, 59-67, 69-70, 72, 73, 75-79, 82-84, and 87
is/are pending in the application.

4a) Of the above claim(s) is/are withdrawn from consideration.

5) Claim(s) is/are allowed.

6) X Claim(s) 1, 3-14, 16-24, 26-27, 29, 30, 32-36, 39-41, 44, 46-57, 59-67, 69-70, 72, 73, 75-79, 82-84, and 87
is/are rejected.

7) Claim(s) is/are objected to.

8) Claim(s) are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) All b) Some * c) None of the CERTIFIED copies of the priority documents have been:
1. received.
 2. received in Application No. (Series Code / Serial Number) .
 3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☐ Notice of References Cited (PTO-892)
15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s)

- 17) ☐ Interview Summary (PTO-413) Paper No(s).
18) ☐ Notice of Informal Patent Application (PTO-152)
19) ☐ Other:

U.S. Patent and Trademark Office
PTO-326 (Rev. 3-98)

Office Action Summary

Part of Paper No. 16

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DETAILED ACTION

This Office Action is responsive to Amendment C, dated 19 July 2002, in which claims 1, 29, 44, 72, & 87 were amended, and claims 25 and 68 were cancelled.

1. Request for copy of Applicant's response on floppy disk:

Please help expedite the prosecution of this application by including, along with your amendment response in paper form, an electronic file copy in WordPerfect, Microsoft Word, or in ASCII text format on a 3½ inch IBM format floppy disk.

Please include all pending claims along with your responsive remarks. Only the paper copy will be entered -- your floppy disk file will be considered a duplicate copy. Signatures are not required on the disk copy. The floppy disk copy is not mandatory; however, it will help expedite the processing of your application. Your cooperation is appreciated.

2. Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 44, and 87 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Admitted Prior Art (Application background, p1-4, hereinafter referred to as APA) in view of Jois et al. (U.S. Patent 6,112,242).

As to claim 1, the APA teaches an information processing apparatus (personal computer) comprising:

first output processing means (PC ... display device) for printing the information entered at the input means (electronic information ... that a person wrote) as a first output processing operation (display)
data selection means (editing application) for selecting one of the hysteresis data from the storage means (stored hysteresis data 24).

The APA does not explicitly disclose the additional limitations detailed below.

Jois teaches input means (devices 330, such as a keyboard, p4 27-33) for entering information (Web page, Id.)

storage means (client's local storage 310, p4 50 – p5 9) for storing printing information (cached Web pages, Id.) which has been printed by the first output processing means (Web page is displayed by client 300

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on a display 320, p4 27-33) as hysteresis data for printing (Web page ... copy from the cache is retrieved ... displayed, p4 27 – p5 39) output processing selection means (browser, Id.) for selecting one of a plurality of types of output processing (back page ... user mouse clicks an item's "add" button) which is different from the printing (sending a buy order for the item to the server 200, Id.) as a second output processing operation (client ... send input to modify a database, p3 25-30) and

second output processing means (server, Id.) for performing the second output processing operation on the printed information (update a "transaction" database 230, p4 27 – p5 39) contained in the hysteresis data selected by the data selection means (back page ... user asserts an action on one web page, Id.).

It would have been obvious to combine Jois with the APA because the capability to go back to a cached web page and edit that page saves time and resources by retrieving the page (including previous input to the page) so that the page/data does not have to be completely recalled/reconstructed.

As to claim 44, note the rejection of claim 1 above. Claim 44 is the same as claim 1, except claim 44 is a method claim and claim 1 is an apparatus claim.

As to claim 87, note the rejection of claim 1 above. Claim 87 is the same as claim 1, except claim 87 is a computer program product claim and claim 1 is an apparatus claim.

4. Claims 3-8, 11-14, 19-24, 26-27, 29-30, 39-41, 46-51, 54-57, 62-67, 69-70, 72-3, and 82-84 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the APA and Jois as applied to claims 1, 44, and 87, respectively, and further in view of Moran et al. (U.S. Patent 5,786,814).

As to claims 3-8, 11-14, 19-27, 29-30, and 39-41, the APA teaches storage means that stores associated information and an operation that was performed as hysteresis data (Fig. 1A, with an editing application ... hysteresis data for operations ... can be stored) operation entry means manipulated by a user (operations ... performed by a user) and storing the hysteresis data (address information) in correlation with an object (home page) in a process (server) other than a process performed by the processing means (PC) and an instruction to another apparatus to print (data are printed via a server 25).

The APA does not explicitly disclose the additional limitations detailed below. Moran teaches analyzation means (analyzed to identify events, p15 143-47) reception means for receiving an instruction from a user (user interface for controlling playback of temporal data, p4 143-56) detection means (getType, p8 113).

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Also, Moran teaches a "history list ... is timestamped and is associated with an object", p25 l26-38 which corresponds to the associated information includes: information concerning time for execution, a location for execution, an apparatus for execution, and an object for execution.

Moran further teaches designation means (control events, p30 l12-49) determines the storage for each operation/object (off record ... on record, Id.).

Additionally, Moran teaches control means (session access device, p5 l6-24 based on the hysteresis data (utilizes event information, Id.) reperformance or cancellation of the process (playback ... or a deletion event, Id.) and a plurality of function units (Capture Devices, p7 l50) acquisition means ((calls to Session objects, p8 ln26) with display of the hysteresis data (stored data).

It would have been obvious to combine Moran's teachings with the APA as modified by Jois because the event replay system as taught by Moran facilitates the correlative control of data/operations which would enable an efficacious duplication of selected information/processing, Moran p5 l6-24.

As to claim 20, "Official Notice" is taken that an object includes information of the recited types is well known in the art (MPEP2144.03). It would have been obvious to equip the object with the capacity to contain/convey data from a variety of sources because the degree to which an object handles information dictates the functionality of that object; thus, it would have been obvious to combine this extensive characteristic object data with the system of the APA as modified so that the users might enjoy the most extensible use of hysteresis data to enhance a wide range of application environments.

As to claims 46-51, 54-7, 62-67, 69-70, 72-3, 82-4, note the rejections of claims 3-8, 11-14, 19-24, 26-27, 29-30, 39-41 above. Claims 46-51, 54-7, 62-67, 69-70, 72-3, 82-4 are the same as claims 3-8, 11-14, 19-24, 26-27, 29-30, 39-41, except claims 46-51, 54-7, 62-67, 69-70, 72-3, 82-4 are method claims and claims 3-8, 11-14, 19-24, 26-27, 29-30, 39-41 are apparatus claims.

5. Claims 9-10 and 52-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the APA and Moran et al. as applied to claims 3 and 44 respectively, and further in view of Fukui et al. (U.S. Patent 5,918,222).

As to claims 9-10, Fukui teaches "a function of permitting to record and reproduce information transmitted by a user in an interactive operation with the apparatus", p11 l32-39 which corresponds to the associated information includes information concerning a person relative to an operation. Fukui continues by detailing that a "user demand is stored in a user history information table, and the same response form is employed when the same user accesses the agent in the same environment", p22 l19-33 which reads-on a person who has issued an instruction or has performed an operation.

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It would have been obvious to combine the teachings of Fukui with the APA as modified because the correlating of a user with data processes provides a security control as well as an enhanced customized repeat/response system which suits a user's operations.

As to claims 52-3, note the rejections of claims 9-10 above. Claims 52-3 are the same as claims 9-10, except claims 52-3 are method claims and claims 9-10 are apparatus claims.

6. Claims 16-18 and 59-61 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the APA and Moran et al. as applied to claims 3 and 46 respectively, and further in view of Barrett et al. (U.S. Patent 5,727,129).

As to claims 16-18, Barrett teaches "steps 28 and 32 review a history of past activities to identify associations and sequential patterns between accessed Web pages", which corresponds to the recitations regarding the associated hysteresis data and the concomitant correlative series of operations. It would have been obvious to combine Barrett's teachings with the APA as modified because the intelligent browser layer which provides pattern review produces a system such that "the user can more efficiently perform subsequent activities", Barrett p6 l6-15.

As to claims 59-61, note the rejections of claims 16-18 above. Claims 59-61 are the same as claims 16-18, except claims 59-61 are method claims and claims 16-18 are apparatus claims.

7. Claims 32-36 and 75-79 are rejected under 35 USC §103(a) as being unpatentable over the APA and Moran et al. as applied to claims 1 and 44 respectively, and further in view of Bristor (U.S. Patent 6,018,342).

As to claims 32-36, Bristor teaches the storage of hysteresis data (history database, p7 l27-47) in correlation with an object (user data, Id.) to be processed by the second processing means ("http://www.uspto.gov", p8 l56 – p9 l15) including a search for hysteresis data (recalls and regenerates the user data, p6 l27-45) and display of a list of hysteresis data that are searched (menu whose items are ... displayed, Id.) and a process for selecting specific hysteresis data (user then selects the previously generated user data, Id.) from the list of hysteresis data (list of descriptions, Id.) which includes re-performance of an operation (regenerate the previously generated c-shell command, Id.) corresponding to selected hysteresis data (actuating a virtual button associated, Id.) and the hysteresis data (information) includes the object (Is) to be input or to be processed (c-shell command). From Bristor's teachings, it would have been an obvious modification to perform an operation

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that differs from the selected hysteresis data as users frequently alter the commands out of history lists. It would have been obvious to combine the history menu mechanism as taught by Bristor with the APA as modified because the search and display features enable a user to efficiently regenerate operations.

As to claims 75-79, note the rejections of claims 32-36 above. Claims 75-79 are the same as claims 32-36, except claims 75-79 are method claims and claims 32-36 are apparatus claims.

8. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure. Each reference disclosed below is relevant to one or more of the Applicant's claimed invention.

U.S. Patent No. 6185625 to Tso et al. which teaches the caching of user data in a server or network proxy system for reaccessing processed information;

U.S. Patent No. 6,112,212 to Heitler which teaches the recalling of edits and modifications of network data that are stored on a server.

9. Response to Applicant's Arguments:

Applicant asserts (claims 1, 44, and 87) that the cited prior art teachings do not meet the limitation of a "second output processing means ... different from the printing by the first output processing means". Despite Applicant's assertion, the references do teach second output processing different from the first as claimed. The Jois reference clearly shows a scheme for going back to cached web pages and executing new operations on the web page data. Jois describes the use of output processing selection means (a browser) to implement a different process on the hysteresis (web page) data. For instance, Jois teaches the process of retrieving web page data that has been displayed on the user's monitor, then the user applying a new/different action to that page/data. Once the web page has been retrieved, the user may then direct the system to perform another procedure with the web page data; in other words, the user will go back to the selected page data to enter a second/ different processing directive, i.e., "clicking" on a new item that the server will process, CF Jois page5. This second action (not merely redisplaying/printing the retrieved page) clearly reads-on the second output processing operation as broadly claimed.

In considering the limitation of "second output processing ... which is different from the printing by first output processing", it is noted that Applicant uses terminology that has broad meaning in the art, and thus requires a broad interpretation of the claims in determining patentability of the disclosed

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invention. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant should set forth claims in language that clearly, distinctly, unambiguously and uniquely define the invention. The fact that Applicant has not narrowed the definition/scope of the current claims implies that Applicant intends an extensive coverage breadth of the claims, which is met by the cited prior art. Consequently, the "output processing selection" and "second output processing means", in the manner recited in the pending claims does not constitute a non obvious improvement over the prior art.

Applicant's arguments have been fully considered but they are not deemed to be persuasive. For the reasons detailed above, the rejections are maintained in accordance with **35 U.S.C. § 103** as set forth supra.

10. THIS ACTION IS MADE FINAL.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

11. Contact Information:

PTO Policy for Facsimile Submissions:


- ☐ AFTER-FINAL faxes must be signed and sent to (703) 746-7238.
- ☐ OFFICIAL faxes must be signed and sent to (703) 746-7239.
- ☐ NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday,

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Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

- ☐ All responses sent by U.S. Mail should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231
- ☐ Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.
- ☐ Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(703) 305-9600**.
- ☐ Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at (703) 308-9120 or via e-mail at *George.Opie@uspto.gov*. Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.


ZARNI MAUNG
PRIMARY EXAMINER